

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHAHNAZ GHOLAMI,
Plaintiff(s),
vs.

UNITED STATES OF AMERICA,
Defendant(s).

No. C 08-5058 MEJ

**ORDER VACATING HEARING RE:
DEFENDANT'S MOTION TO DISMISS**

ORDER TO SHOW CAUSE

On November 14, 2008, Defendant United States of America filed a Motion to Dismiss, with a noticed hearing date of January 8, 2009. (Dkt. #7.) Pursuant to Civil Local Rule 7-3, the filing deadline for any opposition to Defendant's motion was by December 18, 2008, yet Plaintiff Shahnaz Gholami failed to comply with this deadline. Further, on November 14, 2008, the Court ordered Plaintiff to either consent to the undersigned magistrate judge's jurisdiction or request reassignment to a district court judge. Pursuant to the November 14 Order, Plaintiff was to inform the Court of this decision by December 4, 2008. Plaintiff also failed to comply with this order.

Accordingly, the Court hereby VACATES the January 8, 2009 motion to dismiss hearing and ORDERS Plaintiff to show cause why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and comply with this Court's orders. Plaintiff shall file a declaration by January 8, 2009, and the Court shall conduct a hearing on January 15, 2009 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

Dated: December 19, 2008



MARIA-ELENA JAMES
United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SHAHNAZ GHOLAMI,

Plaintiff,

v.

JORGE CHIRINOS et al,

Defendant.

Case Number: CV08-05058 MEJ

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 19, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Shannaz Gholami
8341 Kent Court
El Cerrito, CA 94530

Dated: December 19, 2008

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk